City of Reading City Council Hybrid Regular Meeting December 27, 2021 At the conclusion of the COW Meeting

Council President Waltman called the meeting to order at approximately 7:15 pm.

Due to COVID-19, the City changed the meeting format to a hybrid format with Council attending in-person at times and others attending virtually. In addition to providing the public with the ability to observe the Council meetings virtually, via telephone and view live on the BCTV MAC Channel 99 and Facebook Live, the Committee of the Whole and Regular Meetings will be shown in the Penn Room, on the first floor of City Hall – access the Penn Room using the doors on North 8th Street only. Public comment at regular meetings can occur virtually, in writing, via telephone or in-person in the Penn Room through Zoom. The meeting agendas are posted on the City's website 3 days prior to the meeting. All agendas include the Zoom meeting information (LINK and Dial In) to easily 'click and join' the meeting. Access meeting agendas at: https://www.readingpa.gov/council minutes agendas.

The invocation was given by Pastor Lisa Pena. All present pledged to the flag.

ATTENDANCE

Council President Waltman – in person

Councilor Sihelnik, District 1 - electronically

Councilor Goodman-Hinnershitz, District 2 – electronically

Councilor Marmarou, District 4 – in person

Councilor Reed, District 5 – in person

Councilor Cepeda-Freytiz, District 6 – in person

Council Solicitor M. Gombar - in person

City Solicitor F. Lachat– electronically

City Clerk L. Kelleher – in person

Auditor M. Rodriguez – electronically

Finance Director J. Kelly representing the mayor/managing director – electronically

Council President Waltman announced that Councilor Ventura was excused from the meeting and that an executive session was held at the conclusion of the December 20th COW regarding personnel.

PROCLAMATIONS AND PRESENTATIONS

City Council issued commendations to Councilors Sihelnik and Marmarou recognizing their service to the City and to the public as they end their terms on Council. All Council members

thanked Councilors Sihelnik and Marmarou for their dedicated public service to the City and its citizens and their work to improve the function of our government.

City Council observed Vasilopita, a Greek tradition celebrating family, by cutting and distributing sweet bread to those present, compliments of Councilor Marmarou.

PUBLIC COMMENT

Council President Waltman announced that there is one (1) citizen who provided written comment on non-agenda matters to be read by Councilor Reed.

Ernie Schlegel, of Pear Street, expressed gratitude to Councilor Marmarou for his 15 years of dedicated service to the Reading City Council (*The message is attached in full*)

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the agenda, including the legislation on the Consent Agenda, the minutes from the December 13th Regular Meeting and the meeting summaries from the COWs held on December 13th and 20th.

The minutes from the December 13th Regular Meeting, the agenda, including the legislation on the Consent Agenda, and the summations of discussion listed were approved by acclimation.

Consent Agenda

The Consent Agenda is designed to provide efficient approval of non-controversial legislation that does not require discussion/debate by giving approval via acclimation when the meeting agenda is approved. The President of Council will call Council's attention to the list of Consent Agenda legislation at the meeting before action is taken, which allows Council to remove a piece of legislation for separate consideration.

- **A. Resolution 109-2021** authorizing the Solicitor to execute the forms to approve the Repository Bids for 813, 817 and 821 Eckert St
- **B. Resolution 110-2021** authorizing an agreement with Kenhorst Borough for police services dated December 2, 2021, for the year 2022 for \$475,922.29 as attached
- **C. Award of Contract** to BSI Electrical Contractors, Montgomeryville, PA in the amount of \$552,750.00 for the demolition and replacement of existing AHU's, fan coils, ductwork, unit heaters and pumps; installation of new emergency generator; removal and replacement of panel boards; and power and control wiring for new mechanical equipment at the Reading Public Library
- **D. Resolution 111-2021** authorizing conditional offers of employment for the hiring of the following as probationary patrol officers effective January 10, 2022:

1. Christopher Weisner	9. Austin Ritchie	17. Zachary Shenk
2. Jose Vega Jr.	10. Ryan Brobst	18. Tanner Vogel
3. Alexander Findura	11. Bryan Bilous	19. Josh Wertz
4. Oumaron Kallo	12. Luca Burroughs	20. Daniel Gisler
5. Sean Tohidi	13. Edwin Gonzalez	21. Freddy Rosado-Velez
6. Jeremy Weinman	14. Michael Kalyan	
7. Giovanni Genova	15. Issac Long	
8. Jose Espinoza	16. Zachary Rivera	

E. Resolution 112-2021 – authorizing the execution of a partnership agreement with Olivet for the management of the Youth Police Academy for a term of 1 year, with the option for an additional 1 year extension

F. Resolution 113-2021 – authorizing the purchase of air purifying respirators to include 69 respirator kits in varying sizes, filters for the respirators and necessary communication equipment for use by the Police Department to Witmer Public Safety Group, Inc, Coatesville, PA 19320, A COSTARS vendor, at the cost of \$54,641 from the Department of Justice JAG, COVID Relief Grant

ADMINISTRATIVE REPORT

The Finance Director highlighted the written report attached to the agenda, as follows:

COMMUNITY DEVELOPMENT:

- The Community Development Department was notified that an NYC-based developer recently purchased the Baer Building located at 527-529 Court Street. The developer is interested in creating mixed-use loft apartments supporting the work/live open space loft concept that attracts young professional artists looking for a reasonable cost of living in a downtown area.
- The CD Department's Property Maintenance Division conducted the following since the last report:
 - o 761 Property Inspections
 - 206 units passed inspection
 - 288 units failed inspection
 - 21 property owners/managers rescheduled the inspection
 - 3 units were found to be illegal
 - 187 units were re-inspected for previous violations and passed
 - o 36 Quality of Life (QOL) citations
 - The majority of violations were:
 - o Trash/Garbage accumulation
 - o High grass and weeds
 - o Improper storage of trash receptacles in front/rear yards

FIRE:

- The Fire Department completed its 2020 Annual Report and distributed it to the Administration and City Council.
- On Friday, December 17th, the IAFF held its annual breakfast toy drive. All toys purchased with the money raised were donated to The Salvation Army.

LIBRARY:

• On Saturday, December 4th, Reading Public Library employee Sharice Towles held a book launch for her first poetry collection. Congratulations to Sharice as she sold all her copies and has entered into her 2nd printing.

POLICE:

- Ten Reading Police Patrol Officers participated in Shop with a Cop, alongside officers from other County Police Departments. Officers are paired with a child and assist the child with Christmas shopping.
- The Reading Police Department donated several refurbished bicycles to Southern Middle School to recognize the student's high-grade point average and perfect attendance.
- All RPD Supervisors have completed in-service training in the beginning of December.
- RPD Officers will participate in several toy and food drives in the community throughout the holiday season.

Councilor Cepeda-Freytiz commended the Police Department for participating in Shop with a Cop. Councilor Reed noted that this event is organized annually by Crime Watch.

Councilor Cepeda-Freytiz inquired about the fireworks on New Year's Eve. Councilor Goodman-Hinnershitz stated that Berks Festivals will be conducting the fireworks display to ring in the New Year; however, due to COVID viewing the display on Mt. Penn will not be permitted. She cautioned residents not to set off fireworks in the City as that is illegal and dangerous.

AUDITOR'S REPORT

The Auditor read the report attached to the agenda, as follows:

Real Estate Transfer Tax Revenue - Update as of November 30, 2021

For the month of November, the City's revenue is \$844,193.89 for Real Estate Transfer Tax. And as of November 30, 2021, \$7,956,354.90 has been recorded in revenue for this line item. This is the highest revenue amount when compared to the previous four years at November 30. And for 2021, this revenue amount has already exceeded its budget target by \$3,256,354.90. Since January of this year, 2,363 transactions for Real Estate Transfer Tax have been completed, of which 1,988 transactions were taxable and 375 were not taxable. And about \$1.5 million in revenue has been recorded this fiscal year for properties that sold for more than half a million dollar threshold.

The following chart illustrates revenue for Real Estate Transfer Tax YTD 11-30-21 thru 11-30-17:

	11/30/2021	11/30/2020	11/30/2019	11/30/2018	11/30/2017
January	535,849.04	323,123.52	223,920.68	293,105.03	276,076.87
February	523,300.89	511,220.85	615,116.21	204,053.26	210,173.34
March					

	1,178,885.61	601,103.82	266,411.11	348,937.95	297,329.36
April	717,308.73	235,765.07	548,506.44	347,097.22	581,143.64
May	447,710.27	157,245.87	441,084.11	322,871.76	313,275.46
June	719,042.39	1,464,932.00	363,997.72	350,369.72	528,760.06
July	752,234.50	437,026.44	359,547.89	350,708.33	374,898.32
August	1,078,840.76	361,892.51	353,006.61	514,841.63	264,020.74
September	678,323.20	501,228.42	350,731.42	324,492.29	291,320.27
October	480,665.62	493,787.54	340,908.53	389,823.15	238,576.24
November	844,193.89	510,649.58	330,855.79	267,444.32	309,954.88
Total Revenue	7,956,354.90	5,597,975.62	4,194,086.51	3,713,744.66	3,685,529.18
Total Budgeted	4,700,000.00	4,200,000.00	3,800,000.00	3,350,000.00	3,050,000.00
Over/(Under) Budget	3,256,354.90	1,397,975.62	394,086.51	363,744.66	635,529.18

<u>Earned Income Tax and Earned Income Tax Prior Year – Update as of November 30, 2021</u>

As of November 30, 2021, the City's General Fund had recorded \$19,852,584.66 in revenue for Earned Income Tax. Although about \$2.1 million less in revenue was budgeted for 2021 compared to 2020, the City's Earned Income Tax is higher this year by \$440,422.64 compared to the revenue recorded for the same period of 2020.

Earned Income Tax revenue YTD comparison between 2021 vs 2020:

	2021 Budget	YTD 11/30/21	Variance	2020 Budget	YTD 11/30/20	Variance
Earned						
Income	15,512,120.00	14,063,233.86	(1,448,886.14)	16,861,000.00	13,327,270.52	(3,533,729.48
EIT/Prior	4,730,000.00	5,789,350.80	1,059,350.80	5,500,000.00	6,084,891.50	584,891.50
Total	20,242,120.00	19,852,584.66	(389,535.34)	22,361,000.00	19,412,162.02	(2,948,837.98

<u>User Fees Revenue – Update as of November 30, 2021</u>

For the current year, the City originally budgeted \$3,000,000.00 for the User Fees revenue line item.

And as of November 30, 2021, the City recorded \$3,033,106.74 in revenue. However, this year, the budget of the User Fees has been amended; it has been increased by \$33,500.00 in order to cover the expenses for the collection of the User Fees revenue. In 2020, due to the Pandemic and to a new company collecting the User Fees revenue, this line item faced a decrease of \$790,857.47.

The Chart below explains the revenue collected:

	11/30/2021	12/31/2020	12/31/2019	12/31/2018	12/31/2017
YTD User Fees-					
EMS	3,033,106.74	2,405,142.53	3,333,157.10	2,808,204.15	2,912,755.52
Budget	3,033,500.00	3,196,000.00	3,095,000.00	2,900,000.00	2,900,000.00
Over/Under Budget	(393.26)	(790,857.47)	238,157.10	(91,795.85)	12,755.52

Council President Waltman thanked the Auditor for the positive news on the EIT and Real Estate Transfer Tax revenue. He noted that many municipalities do not have a Home Rule form of government and are restricted by the Act 511 caps. He stated that if Reading did not have the ability to raise those rates, the property tax millage would be exorbitant.

REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS. None.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 95-2021 – amending the 2021 Capital Improvement Fund Budget by providing \$30,000.00 in funding needed to cover the cost of the patrol equipment/armory project *Introduced at the December 13 regular meeting*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 95-2021.

The motion to enact Bill No 95-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

B. Bill No. 96-2021 – amending Chapter 23, Section 101, of the City Code by changing the number of members of the Planning Commission from five to seven members *Introduced at the December 13 regular meeting*

Councilor Marmarou moved, seconded by Councilor Reed, to table Bill No. 96-2021.

The motion to table Bill No 96-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

C. Bill No. 97-2021 – amending the City Code Chapter 396 Parks and Recreation, Part 3 Park Use, Section 305 Rules of Conduct to prohibit the dumping of yard waste in City parks, playgrounds, preserves and public spaces *Introduced at the December 13 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Sihelnik, to enact Bill No. 97- 2021.

Councilor Goodman-Hinnershitz explained that Bills 97 and 98 were initiated by the City EAC to stop people from dumping yard waste on public property. She noted that this yard waste takes root and drowns out the natural species which damages the overall ecosystem. She noted the ability residents have to bag yard waste and have it collected at no charge by the City on a weekly basis.

The motion to enact Bill No 97-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman, President – 6 Nays: None – 0

D. Bill No. 98-2021 – amending the City Code Chapter 496 Solid Waste Part 2 Storage and Collection to clarify that yard waste is collected by the City at no extra fee for residents *Introduced* at the *December 13 regular meeting*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 98-2021.

The motion to enact Bill No 98-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

E. Bill No. 99-2021 – amending City Code Chapter 212, Part 136. Curbside waste collection setting the fees for 2022 as follows:

Description Municipal waste collection fee, all services (trash, recycling, clean city*)	Fee \$270 \$330.00	Code Citation § 496-203
Municipal waste collection fee, all services with senior discount	\$ 135 \$165.00	§ 496-203 § 496-207A
Municipal waste collection fee, recycling*	\$90 \$69.40	§ 496-208
Purchase of <u>additional</u> recycling cart, 65 gallon or similar	\$43	§ 496-207A
Purchase of <u>additional</u> recycling cart, 35 gallon or similar	\$ 36	§ 496-207A
Appeal fee Introduced at the December 13 regular meeting	\$100	§ 496-207

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 99-2021.

Councilors Goodman-Hinnershitz and Cepeda-Freytiz noted that the increase of the trash fee is caused by multiple factors such as cost of living, the pandemic, gas prices and landfill charges and shortages.

The motion to enact Bill No 99-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman, President – 6 Nays: None – 0

F. Bill No. 100-2021 – authorizing the sale of 623 Wool Alley to John H. Miller and/or Real Food Farm LLC, for \$500.00 *Introduced at the December 13 regular meeting*

Councilor Cepeda-Freytiz moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 100-2021.

Councilor Sihelnik stated that she shepherded this piece of legislation through the proper channels, noting the process was lengthy and cumbersome.

The motion to enact Bill No 100-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

G. Bill No. 101-2021 – authorizing the required construction easements to PennDOT for the rebuilding of the Schuylkill Avenue Railroad Bridge; PennDOT Project SR 183-05B *Introduced at the December 13 regular meeting*

Councilor Reed moved, seconded by Councilor Cepeda-Freytiz, to enact Bill No. 101-2021.

Councilor Reed explained that this project was coupled with the other bridge improvements organized by PennDOT. This project will raise the height of the bridge to allow double height railcars to move through the area. She noted that for a period of time those needing to travel (pedestrian and vehicular) through this area will be detoured.

The motion to enact Bill No 101-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

H. Bill No. 102-2021 – amending the 2021 Capital Improvement Fund Budget Ordinance is Hereby amended by providing \$500,000.00 in funding to cover the cost of the Schlegel Park Pool Project *Introduced at the December 13 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Sihelnik, to enact Bill No. 102-2021.

Councilor Goodman-Hinnershitz stated that the administration has assured Council that the main pool will be reopened this summer. She stressed the need for communication with the Rec Commission so pool staff can be hired. She requested continued and regular updates in the administrative reports.

The motion to enact Bill No 102-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

I. Bill No. 103-2021 – amending 2021 Capital Improvement Fund Budget by transferring

\$200,000.00 to the LED Lighting Project Fund *Introduced at the December 13 regular meeting*

Councilor Marmarou moved, seconded by Councilor Cepeda-Freytiz, to enact Bill No. 103-2021.

The motion to enact Bill No 103-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman, President – 6 Nays: None – 0

J. Bill No. 104-2021 – authorizing the transfer of \$40,000 from the Public Works Admin Contracted Services to Maintenance Repair Street Lights for the purpose of year end Street Lighting repairs *Introduced at the December 13 regular meeting*

Councilor Cepeda-Freytiz moved, seconded by Councilor Marmarou, to enact Bill No. 104-2021.

The motion to enact Bill No 104-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman, President – 6 Nays: None – 0

K. Bill No. 105-2021 – authorizing the transfer of \$50,000 from the Public Works Admin Contracted Services to Contracted Services providing unforeseen maintenance and repair to public facilities *Introduced at the December 13 regular meeting*

Councilor Reed moved, seconded by Councilor Marmarou, to enact Bill No. 105-2021.

The motion to enact Bill No 105-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman, President – 6 Nays: None – 0

L. Bill No. 106-2021 – amending the City Code Chapter 23 Part 1201 Downtown Revitalization Public Private Partnership *Introduced at the December 13 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Cepeda-Freytiz, to table Bill No. 106- 2021.

The motion to table Bill No 106-2021 was approved by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Waltman,

President – 6 Nays: None – 0

INTRODUCTION OF NEW ORDINANCES

Councilor Goodman-Hinnershitz read the following ordinances into the record:

- **A. Ordinance** allocating \$3M in APRA funding to First Energy Stadium for the Major League Baseball (MLB) required stadium improvements
- **B. Ordinance** authorizing a budget amendment for unscheduled demolitions by transferring \$152,000 from Finance IT to CD Trades
- **C. Ordinance** authorizing a budget amendment to cover Self Insurance expenses through the end of 2021 Liability Claims in the amount of \$155,200.00; Premium Payments in the amount of \$101,100.00 and Other Insurance Premium in the amount of \$63,700.00; funded by an increase in Transfer from Fund Balance budget line item in the amount of \$320,000.00.
- **D. Ordinance** authorizing budget transfer of \$100,000.00 from Sidewalk Repair/Replacement to Solid Waste to provide a funding incentive to assist with costs incurred to construct and or purchase approved screening for dumpsters and trash receptacles located in the right of way, as per the newly enacted dumpster ordinance.
- **E. Ordinance** amending the 2022 Position Ordinance as per the Mayor to reflect a change to the title of the position of Executive Assistant in the Mayor's Office to Special Assistant and to reflect an increase in the base salary of the Special Assistant position from \$53,000 to \$63,652.50 per annum
- **F. Ordinance** amending the City Code by creating Chapter 317 Invasive Plants and Noxious Weeds to regulate and provide guidance to landowners to responsibly control invasive plants and noxious weeds to allow the re-establishment of native plants and to implement the City's obligations under the Controlled Plant and Noxious Weed Act, 3 PA CS Section 1501 et seq.

RESOLUTIONS

None.

COUNCIL COMMENT

Council President Waltman apologized for forgetting to introduce Council Solicitor Michael Gombar at the beginning of the meeting. He stated that Mr. Gombar was appointed as Council Solicitor in late November and he will advise the body at regular meetings and assist in other ways. All present agreed that Mr. Gombar is a welcome addition to the Council

team.

Councilor Reed wished everyone Happy Holidays and a Happy New Year, noting her hope that eventually COVID will be behind us.

Councilor Marmarou wished everyone Happy Holidays and noted that while he is leaving Council he will continue to work to improve the City and stay involved.

Councilor Goodman-Hinnershitz noted the promise that 2022 brings. She thanked the City Clerk for running the Zoom meetings over the past two (2) years and providing technical assistance and help as required; she noted that this is not an easy task. She wished Mr. Rugis well. She recommended that everyone take the opportunity to stream the new Lynn Nottage play "Clyde's" which is again based on Reading. She reminded everyone of the Reading Symphony performance "Tribute to Queen" on New Year's Eve.

Councilor Cepeda-Freytiz gave a shout-out to the owners of Maria's Restaurant at 4th and Penn Streets for uplifting the appearance of the building. She congratulated Jillian who resides in the 2nd and Buttonwood Streets area for advocating for a stop sign at this intersection. She encouraged all citizens to work together to solve neighborhood issues.

Councilor Sihelnik encouraged all to watch her last In Your District program which is a recap of her term on City Council. She noted the support she received from her family which allowed her to dedicate time to City business. She especially thanked her husband and son for giving her up on many evenings so she could attend to various Council duties. She wished everyone a bright and happy New Year.

Council President Waltman reviewed the upcoming Council meeting schedule. He noted that less if often more in life and he encouraged everyone to celebrate the small things that we often take for granted.

Councilor Marmarou moved, seconded by Councilor Sihelnik, to adjourn the regular meeting of Council at 8:45 pm.

Linda A. Kelleher CMC, City Clerk

From: ERNEST SCHLEGEL <schmeegl60@comcast.net>

Sent: Monday, December 27, 2021 10:17 AM

To: msbizreed@hotmail.com <msbizreed@hotmail.com>; linda kelleher <linda.kelleher@readingpa.gov>;

Michelle Smith <michelle.smith@readingpa.gov>; City Council <citycouncildist@readingpa.gov>

Subject: Speech

Council,

Councilman Marmarou,

As your time on City Council draws to a close, I wanted to express my sincere gratitude for your service. City Council service is one of the toughest roles in city government, and you took on your Council duties with dedication, grace, and seriousness.

During your term, your folksy old-school approach to the issues that face the city by showing up and listening is what any council member should strive to do.

Working through Act 47 to a finish, restoring funding and the buildings of the library, LGBT anti-discrimination legislation, and your beloved new firehouse, you have shown time and again that you could and did get the job done.

More than your amazing ability to connect friends, or your willingness to organize and support every fundraising effort for our retired police officers, I am most grateful for your active leadership as a judicious steward of our city. I know you always carefully deliberated on matters before City Council, even when the decisions were difficult.

David Starr Jordan, founding president of Stanford University, once said "Wisdom is knowing what to do next; virtue is doing it ". You were both wise and virtuous, and I am grateful you shared those qualities with the city as a Council member.

I will certainly miss working with you as a board member, but I look forward to staying in touch with each other for years to come.

By the way, there are Boards and Authorities with plenty of work to do. Get to work.

Sincerely,

Ernest Herbein Schlegel